



TOWN OF IPSWICH PLANNING BOARD

TOWN HALL, 25 GREEN STREET, IPSWICH, MASSACHUSETTS 01938

Final Report of the Planning Board to Annual Town Meeting

April 22, 2021

This document is the final report of the Planning Board, including recommendations on four proposed zoning articles on the warrant for the May 15, 2021 Annual Town Meeting, prepared and submitted in accordance with Section XI.L of the Ipswich Zoning Bylaw and Section 5 of Chapter 40A of the General Laws of the Commonwealth of Massachusetts.

The Planning Board initiated the four zoning amendment articles and submitted them to the Select Board on February 18, 2021. In accordance with Section 5 of Chapter 40A of the Massachusetts General Laws, the Select Board, on February 22, 2021, referred the proposed zoning articles back to the Planning Board for review and public hearing. Legal notices of the public hearing were published in the *Ipswich Local News* on February 24, 2021, and March 3, 2021.

On Thursday, March 11, 2021 the Planning Board opened the public hearing at a duly advertised public meeting held on ZOOM, after the duly advertised public notice, to consider the following zoning amendments to the Ipswich Protective Zoning Bylaw. After taking public comment on the 11th, the Board voted to continue the public hearing to its meeting of April 1st, 2021. After closing the public hearing on April 1st, the Board voted as indicated below to recommend Town Meeting adopt the four zoning amendment articles.

Article 16: Inclusionary Housing Amendments: Amend Section VI. Footnotes to the Dimensional and Density Regulations, Footnote 11, to remove the references to actual payment in lieu fees and replace with a reference to the Planning Board Payment-in-Lieu-of-Option Regulations; amend Section IX.I.3.a.i. and ii. and b.i. Inclusionary Housing Requirements by establishing that 15% affordability is required for multifamily projects, to remove references to actual payment in lieu fees and replace with a reference to the Planning Board Payment-in-Lieu-of-Option Regulations, and to reformat subparagraphs for clarity; and amend Section IX.I.4.b. clarifying the comparability requirements for affordable units.

The Planning Board recommends 5-0, with one additional vote to recommend from the Associate PB member, that the 05/15/21 Town Meeting adopt Article 16.

This article will amend the Inclusionary Housing Requirements of the Zoning Bylaw for multifamily projects by lowering the threshold for requiring affordable units from one per ten to one per seven, which, put another way, is an increase from requiring 10% of the new units in a development to be affordable to requiring 15% be affordable. The article will also remove references to specified dollar amounts for projects where a "payment-in-lieu-of" an affordable unit is allowed. (Payment calculations will instead be located in accompanying Rules & Regulations which are in the process of being reviewed and revised and will be accepted as part of a Public Hearing process.) The article will also refer the reader of Footnote 11 to the Table of Dimensional and Density Regulations in Section VI and the Inclusionary Housing Requirements in Section IX.I to the Planning Board Regulation: Inclusionary Housing Payment-in-Lieu-of Option. The article will make formatting improvements to Section IX.I and will strengthen the Planning Board's authority to require that the construction and materials of affordable units are indistinguishable from market rate units in projects where affordable units are created.

Article 17: Great Estate Preservation Development (GEPD) Amendments: Amend Section IX.H. Great Estate Preservation Development to allow for consideration of the historic land configuration of a Great Estate in determining the eligibility of property for the GEPD; to modify the minimum floor area of buildings on Great Estates from 40,000 sq. ft. to 30,000 sq. ft.; to establish a minimum floor area of 12,500 sq. ft. for Great Estate mansions; to clarify the process for determining the allowable floor area for buildings on a GEPD lot; and to clarify the requirement that a minimum of 40% of the land owned by the applicant be set aside as open space.

The Planning Board recommends 5-0, with one additional vote to recommend from the Associate PB member, that the 05/15/21 Town Meeting adopt Article 17.

This article will amend the Great Estate Preservation Development (GEPD) section, IX.H, in the Zoning Bylaw by expanding the eligibility of GEPD lots to those that had an estate land area of at least sixty acres on January 1, 1948, inclusive of land which has been permanently protected and which is available for use by the general public. The article will require that a GEPD lot contains a mansion with at least 12,500 square feet built before January 1, 1948. Further, to expand eligibility of the Great Estate bylaw, the article will lower the existing aggregate floor area minimum from 40,000 square feet to 30,000 square feet.

Article 18: Water Demand Minimization Amendments: Amend Section X. Site Plan Review to insert a new standard for water demand minimization; and amend Section XI.J. Special Permits to insert a new criterion pertaining to minimizing water demand.

The Planning Board recommends 5-0, with one additional vote to recommend from the Associate PB member, that the 05/15/21 Town Meeting adopt Article 18.

This article will insert review standards for the Planning Board under its Site Plan Review Authority, Section X, and for Special Permit Granting authorities for Special Permits, Section XI.J, pertaining to water demand minimization. The standards will strengthen the Planning Board and Zoning Board authority for advancing water conservation measures in development projects subject to Site Plan Review and Special Permits and in conjunction with the Water Use Mitigation Program regulations under the authority of the Board of Water Commissioners.

Article 19: Energy Efficiency Amendments: Amend Section I. Purpose by inserting language pertaining to energy conservation and utilization of renewable energy sources; amend Section VI. Dimensional and Density Regulations Subsection G to allow the reduction of a side or rear yard setback for advanced energy conservation measures, if done in alignment with regulations promulgated by the Planning Board and the Building Inspector.

The Planning Board recommends 5-0, with one additional vote to recommend from the Associate PB member, that the 05/15/21 Town Meeting adopt Article 19.

This article will amend the Purpose section of the Zoning Bylaw by inserting language that shows the Town's commitment to aggressively reduce the use of fossil fuels and to adopt renewable energy sources. The article will also provide setback flexibility for the installation of advanced energy conservation measures and advanced building envelope design.